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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

In re LUMINENT MORTGAGE CAPITAL,)
INC., SECURITIES LITIGATION,)
This Document Relates To:)
ALL ACTIONS.)

CASE NO. 07-CV-04073 PJH

CLASS ACTION

**[AMENDED PROPOSED] ORDER
GRANTING MOTION BY WILLIAM F.
KORNFELD, JR., FOR APPOINTMENT
OF LEAD PLAINTIFF AND LEAD
COUNSEL PURSUANT TO SECTION
21D OF THE SECURITIES EXCHANGE
ACT OF 1934**

DATE: November 21, 2007
TIME: 9:00 a.m.
JUDGE: Honorable Phyllis J. Hamilton
CTRM: 3, 17th Floor

[AMENDED PROPOSED] ORDER GRANTING MOTION BY WILLIAM F. KORNFELD, JR., FOR APPOINTMENT OF
LEAD PLAINTIFF AND LEAD COUNSEL

CASE NO. C-07-4140 PJH

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1 This Court, having considered the amended motion by William F. Kornfeld, Jr. for
 2 Appointment of Lead Plaintiff and Lead Counsel Pursuant to Section 21D of the Securities
 3 Exchange Act of 1934 (the “Motion”), for good cause shown, hereby orders as follows:

4 **IT IS HEREBY ORDERED THAT:**

5 1. Pursuant to §21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C.
 6 §78u-4(a)(3)(B), William F. Kornfeld, Jr., is appointed Lead Plaintiff for the Class.

7 2. Lead Plaintiff’s selection of counsel is approved. Pursuant to §21D(a)(3)(B)(V), the
 8 law firms of Stull, Stull & Brody and Abraham, Fruchter & Twersky, LLP, are appointed Lead
 9 Counsel for the class.

10 3. Lead Counsel is vested by the Court with the following responsibilities and duties:

11 a. To coordinate the preparation and filing of a Consolidated Amended
 12 Complaint, and any subsequent pleadings;

13 b. To coordinate the briefing and argument of all motions;

14 c. To coordinate and conduct all discovery, pre-trial and trial proceedings for
 15 plaintiffs;

16 d. To call meetings of plaintiffs’ counsel as they deem appropriate or necessary
 17 from time to time;

18 e. To initiate and conduct all settlement negotiations for plaintiffs with counsel
 19 for defendants;

20 f. To provide general coordination of activities of counsel on their side and to
 21 delegate work responsibilities to selected counsel as may be required; and

22 g. To perform such other duties as may be expressly authorized by further order
 23 of the Court.

24 4. Lead Counsel shall make all work assignments in such a manner as to conduct the
 25 orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort.

26 5. Defendants’ counsel may rely upon all agreements made with Lead Counsel and such
 27 agreements shall be binding on all plaintiffs.

1 6. No motion, request for discovery, or other pretrial proceeding shall be initiated or
2 served by any plaintiff except through Lead Counsel.

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4 DATED: _____

HONORABLE PHYLLIS J. HAMILTON
DISTRICT COURT JUDGE

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37 **Proposed Lead Counsel for Plaintiffs**

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[AMENDED PROPOSED] ORDER GRANTING MOTION BY ³WILLIAM F. KORNFELD, JR., FOR APPOINTMENT OF
LEAD PLAINTIFF AND LEAD COUNSEL

CASE NO. C-07-4140 PJH

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